

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

HUNTINGTON DIVISION

SHANE HOLBROOK,

Plaintiff,

v.

CIVIL ACTION NO. 3:21-0170

CARL ALDRIDGE, et al.,

Defendants.

MEMORANDUM OPINION AND ORDER

This action was referred to the Honorable Cheryl A. Eifert, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendations for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted Findings of Fact and recommended that the Court grant the defendants' motions for summary judgment (ECF Nos. 94, 97); deny Holbrook's motion to voluntarily dismiss (ECF No. 101); dismiss Holbrook's amended complaints (ECF Nos. 7, 10); and remove this case from the docket of the Court. No objections to the Magistrate Judge's findings and recommendations have been filed.

Accordingly, the Court accepts and incorporates herein the findings and recommendations of the Magistrate Judge and **GRANTS** the defendants' motions for summary judgment (ECF Nos. 94, 97); **DENIES** Holbrook's motion to voluntarily dismiss (ECF No. 101); **DISMISSES** Holbrook's amended complaints (ECF Nos. 7, 10); and **REMOVES** this case from the docket of the Court, consistent with the findings and recommendations.

The Court **DIRECTS** the Clerk to forward copies of this written opinion and order to all counsel of record, and any unrepresented parties.

ENTER: August 31, 2022

A handwritten signature in black ink, appearing to read 'Robert C. Chambers', is written over a horizontal line.

ROBERT C. CHAMBERS
UNITED STATES DISTRICT JUDGE